

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

UNITED STATES OF AMERICA

v.

Case No.: 3:21-cr-00071-01

ABDUL OSUMANU

ORDER

On the 8th day of June 2021, pursuant to an indictment, came the United States of America, by Kathleen Roberson, Assistant United States Attorney, and counsel for defendant, David Bungard, Assistant Federal Public Defender, for an arraignment. Also present was Lilla Adkins, United States Probation Officer. Defendant executed a waiver of his personal appearance at the arraignment which was accepted by the Court. (ECF No. 18).

The Court advised that as a citizen of Ghana, it is mandatory that defendant's consular officer be notified of his arrest. The mandatory consular notification was provided to counsel for defendant to be executed and filed with the Court. In accord with the Due Process Protections Act and Rule 5(f) of the Federal Rules of Criminal Procedure, this Court confirms the United States' obligation to disclose to the defendant all exculpatory evidence, that is, evidence that favors the defendant or casts doubt on the United States' case, as required by Brady v. Maryland, 373 U.S. 83 (1963) and its progeny, and hereby **ORDERS** the United States to do so. Failure to disclose exculpatory evidence in a timely manner may result in serious consequences, including, but not limited to,

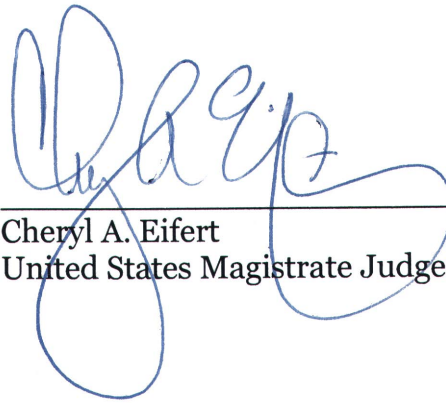
exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, disciplinary action, or sanctions by the Court.

A plea of not guilty to the charges in the indictment was entered. The parties agreed to standard discovery, and the Court provided the parties with the pre-trial and trial schedule.

Defendant was granted pretrial release on June 1, 2021, pursuant to 18 U.S.C. § 3142(c), and it is **ORDERED** that defendant shall continue on pretrial release subject to the conditions set forth in the Order Setting Conditions of Release previously entered by the Court. (ECF No. 14).

The Clerk is directed to transmit a copy of this Order to the defendant, counsel of record, the Probation Department, and the United States Marshals Service.

ENTERED: June 8, 2021



Cheryl A. Eifert
United States Magistrate Judge